

REMARKS

Claims 1-24 are pending in the Application. Claims 1, 9, and 17 are independent. Claims 18 and 20-23 have been amended.

Claim Rejections – 35 USC § 112

The Patent Office rejected Claims 1, 18, and 20-23 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant respectfully traverses the rejection.

With respect to Claim 1, the Patent Office stated it is confusing to recite “field programmable platform array” and the limitation would be interpreted as any field programmable array such as a field programmable gate array (August 6, 2007 Office Action p. 2). A field programmable platform array is not equivalent to any field programmable array. A field programmable platform array may refer to an array of field programmable platform array units (see paragraph 15 of the specification). In each platform array unit, cores are connected by a transistor array fabric (see paragraph 13 and 15 of the specification). The front end of line fabrication and core design for each platform array unit is complete, and is configurable by being programmed in the field (see paragraph 13 and 15 of the specification). Thus, Claim 1 is believed distinct.

With respect to Claim 18, the Patent Office stated there is insufficient antecedent basis for the limitation “top aluminum pads” (August 6, 2007 Office Action p. 2). Claim 18 has been amended and is believed distinct.

With respect to Claims 18, and 20-23, the Patent Office stated it is confusing to recite “a routing layer” because it was unclear whether a routing layer is directed to an additional routing layer or pre-routing metal layer and that the limitation would be interpreted as any interconnection between a semiconductor device (August 6, 2007 Office Action p. 2). Claims 18, and 20-23

have been amended and are believed distinct.

Claim Rejections – 35 USC § 102

The Patent Office rejected Claims 1-5, 7-13, and 15-17 under 35 U.S.C. § 102(b) as being anticipated by Or-bach (U.S. Publication No. 2001/0038297) (“Or-bach”).

Applicant respectfully traverses the rejection. Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *W.L. Gore & Assocs. v. Garlock*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). Further, “anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.” *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983). Emphasis added.

Applicant respectfully submits Claims 1-5, 7-13, and 15-17 recite elements that have not been disclosed by Or-bach. For example, Claim 1 recites “cutting N by M array of platform array units from a field programmable platform array wafer according to an order from a customer”. The Patent Office cites to Or-bach for the above limitations (Fig. 61, paragraph 0606). However, Or-bach does not disclose cutting N by M array of platform array units from a field programmable platform array wafer according to an order from a customer. A platform array unit is a unit of a field programmable platform array (paragraph 15 of the present application). In the cited sections, Or-bach discloses a programmable integrated circuit device. The cited sections do not disclose cutting a wafer. Further, Or-bach does not disclose a field programmable platform array. Disclosure of a programmable integrated circuit device is not equivalent to “cutting N by M array of platform array units from a field programmable platform array wafer according to an order from a customer.” Thus, Or-bach does not disclose cutting N by M

array of platform array units from a field programmable platform array wafer according to an order from a customer.

Claim 9 recites “means for cutting N by M array of platform array units from a field programmable platform array wafer according to an order from a customer.” The Patent Office cites to Or-bach for the above limitations (Fig. 61, paragraph 0606). However, Or-bach does not disclose means for cutting N by M array of platform array units from a field programmable platform array wafer according to an order from a customer. A platform array unit is a unit of a field programmable platform array (paragraph 15 of the present application). In the cited sections, Or-bach discloses a programmable integrated circuit device. The cited sections do not disclose cutting a wafer or means for cutting a wafer. Further, Or-bach does not disclose a field programmable platform array. Disclosure of a programmable integrated circuit device is not equivalent to “means for cutting N by M array of platform array units from a field programmable platform array wafer according to an order from a customer.” Thus, Or-bach does not disclose means for cutting N by M array of platform array units from a field programmable platform array wafer according to an order from a customer.

Claim 17 recites “interconnect between said plurality of platform array units being pre-routed.” The Patent Office cites to Or-bach for the above limitations (Fig. 57, paragraph 0104). However, Or-bach does not disclose interconnect between said plurality of platform array units being pre-routed. A platform array unit is a unit of a field programmable platform array (paragraph 15 of the present application). In the cited sections, Or-bach discloses logic cells receiving scan signal inputs determining whether the cell operates in a normal or test mode. The cited sections do not disclose interconnect between said plurality of platform array units being pre-routed. Or-bach does not mention pre-routing. Further, Or-bach does not disclose a field programmable platform array. Disclosure of logic cells receiving scan signal inputs determining whether the cell operates in a normal or test mode is not equivalent to “interconnect between said

plurality of platform array units being pre-routed." Thus, Or-bach does not disclose interconnect between said plurality of platform array units being pre-routed.

Thus, under *Lindemann*, a *prima facie* case of anticipation has not been established for Claims 1, 9, and 17. Claims 2-5 and 7-8 depend from Claim 1 and are believed allowable due to their dependence upon an allowable base claim. Claims 10-13 and 15-16 depend from Claim 1 and are believed allowable due to their dependence upon an allowable base claim.

Claim Rejections – 35 USC § 103

The Patent Office rejected Claims 6 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Or-bach in view of Mastro et al. (United States Publication No. 2002/0091977) ("Mastro"). Applicant respectfully traverses.

"To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." (emphasis added) (MPEP § 2143). If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. (emphasis added) *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

Claim 6 depends from Claim 1, which is allowable for the reasons stated above, and is believed allowable due to its dependence upon an allowable base claim. Claim 14 depends from Claim 9, which is allowable for the reasons stated above, and is thus believed allowable due to its dependence upon an allowable base claim.

The Patent Office rejected Claims 18 and 20-23 under 35 U.S.C. § 103(a) as being unpatentable over Or-bach in view of Lee et al. (U.S. Patent No. 6,222,212) ("Lee"). Applicant respectfully traverses. Claims 18 and 20-23 depend from Claim 17, which is allowable for the reasons stated above, and is thus believed allowable due to their dependence on an allowable base claim.

The Patent Office rejected Claim 19 under 35 U.S.C. § 103(a) as being unpatentable over Or-bach and Lee in view of Huang et al. (United States Patent No. 6,396,129) ("Glen"). Applicant respectfully traverses. Claim 19 depends from Claim 17, which is allowable for the reasons stated above, and is thus believed allowable based on its dependence on an allowable base claim.

Claims Not Addressed by Office Action

The office action of August 6, 2007 did not address the patentability of Claim 24. Applicant respectfully submits that Claim 24 is allowable and requests issuance of the same.

CONCLUSION

In light of the forgoing, reconsideration and allowance of the claims is earnestly solicited.

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